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IFW 2862

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

February 13, 2007

Commissioner For Patents  
Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Our File: IC&M 3.3-001  
Appln. No. 10/506,849  
Filing Date: June 22, 2005  
Group Art Unit: 2862

## 2<sup>nd</sup> REQUEST

Dear Sir:

We are enclosing herewith copies of the filing receipt, executed Declaration and Application Data Sheet for the above-identified patent application.

On the filing receipt, please **DELETE** the information currently listed under the section entitled "**Foreign Applications**" (i.e., "European Patent Office (EPO) 1 341 005 03/09/2003"), as this was not listed on the Declaration or on the Application Data Sheet. Therefore, this section should remain blank.

Further, enclosed is a copy of a Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Please change the "**Date of Completion of All 35 U.S.C. 371 Requirements**" to read --06/22/2005--, not "09/09/2005." Also, please change the "**Priority Date**" to read --07/21/2004--, not "03/09/2003."

Kindly issue a corrected filing receipt and Notice of Acceptance of Application for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP

ARNOLD H. KRUMHOLZ  
Reg. No. 25,428

AHK/lS  
Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/506,849	06/22/2005	2862	1754	IC&M 3.3-001	29	28	1

CONFIRMATION NO. 4658

000530  
 LERNER, DAVID, LITTENBERG,  
 KRUMHOLZ & MENTLIK  
 600 SOUTH AVENUE WEST  
 WESTFIELD, NJ 07090

## FILING RECEIPT



"OC000000016990010"

Date Mailed: 09/19/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Fabrice Malard, Boulogne, FRANCE;

**Power of Attorney:** The patent practitioners associated with Customer Number 000530.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/09152 07/21/2004

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 1 341 005 03/09/2003

**Projected Publication Date:** 12/22/2005

**Non-Publication Request:** No

**Early Publication Request:** No

## Title

Combination tool for aligning, measuring distances and sensing objects under a surface

LDLK&amp;M

SEP 26 2005

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**Preliminary Class**

324

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,849	Fabrice Malard	IC&M 3.3-001
O I P E FEB 16 2007 140385 PATENT & TRADEMARK OFFICE		INTERNATIONAL APPLICATION NO.
		PCT/EP04/09152
I.A. FILING DATE		PRIORITY DATE
07/21/2004		03/09/2003
CONFIRMATION NO. 4658		
371 ACCEPTANCE LETTER		
 *OC000000016990011*		

Date Mailed: 09/19/2005

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/22/2005DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS09/09/2005DATE OF COMPLETION OF ALL 35 U.S.C. 371  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 09/03/2004
- Copy of the International Search Report filed on 09/03/2004
- Information Disclosure Statements filed on 06/22/2005
- Oath or Declaration filed on 06/22/2005
- U.S. Basic National Fees filed on 09/03/2004

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SEP 26 2005  
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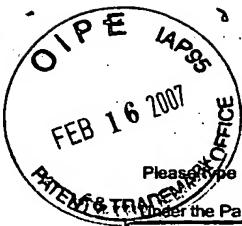
Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above.(37 CFR 1.5)

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DARRELL C COTTMAN  
Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)



Please type a plus sign (+) inside this box



PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

Declaration Submitted with Initial Filing.       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

OR

Attorney Docket Number	IC&M 3.3-001
First Named Inventor	Fabrice Malard
<b>COMPLETE IF KNOWN</b>	
Application Number	10/506,849
Filing Date	September 3, 2004
Group Art Unit	N/A
Examiner Name	Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMBINATION TOOL FOR ALIGNING, MEASURING DISTANCES AND SENSING OBJECTS UNDER A SURFACE**

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 07/21/2004 as United States Application Number or PCT International

Application No. PCT/EP2004/009152 and was amended on (MM/DD/YYYY)   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Please type a plus sign (+) inside this box Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named Inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

Direct all correspondence to:	<input checked="" type="checkbox"/> Customer Number or Bar Code Label	000530	OR <input type="checkbox"/> Correspondence address below
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Name

Address

City	State	ZIP
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Country	Telephone	Fax
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle [if any])	Fabrice	Family Name or Surname	Malard
---	---------	---------------------------	--------

Inventor's Signature		Date	January 28, 2005
-------------------------	--	------	------------------

Residence: City	State	Country	Citizenship
-----------------	-------	---------	-------------

Mailing Address:	6 rue d'Issy		
---------------------	--------------	--	--

City	State	ZIP	France
------	-------	-----	--------

NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
--------------------------	---

Given Name (first and middle [if any])	Family Name or Surname
---	---------------------------

Inventor's Signature	Date
-------------------------	------

Residence: City	State	Country	Citizenship
-----------------	-------	---------	-------------

Mailing Address:			
---------------------	--	--	--

City	State	ZIP	Country
------	-------	-----	---------

Additional Inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

LD-537



### Application Data Sheet

#### **Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	COMBINATION TOOL FOR ALIGNING, MEASURING DISTANCES AND SENSING OBJECTS UNDER A SURFACE
Attorney Docket Number::	IC&M 3.3-001
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	29
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

#### **Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	France
Status::	Full Capacity
Given Name::	Fabrice
Family Name::	Malard
City of Residence::	Boulogne
Country of Residence::	France
Street of mailing address::	6 rue d'Issy
City of mailing address::	Boulogne
Country of mailing address::	France

Postal or Zip Code of mailing address:: F-92100

### **Correspondence Information**

Correspondence Customer Number:: 000530

### **Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/EP2004/009152	07/21/04

### **Assignee Information**

Assignee name:: iConcepts & Marketing  
Street of mailing address:: 79 avenue Edouard Vaillant - Bât D  
City of mailing address:: 92100 Boulogne-Billancourt Cedex  
Country of mailing address:: France